

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

CITY OF HOLLY SPRINGS

PLAINTIFF

V.

NO. 3:21-CV-246-DMB-RP

JOHNSON & JOHNSON, et al.

DEFENDANTS

ORDER

On January 6, 2022, CVS Pharmacy, L.L.C., Walgreen Co., and Walmart Inc. (collectively, “Pharmacy Defendants”) filed a motion to “stay resolution of [the City of Holly Springs’] motion to remand (ECF No.26) until the Judicial Panel on Multidistrict Litigation (‘the JPML’) issues a final decision on whether to transfer this action to the Multidistrict Litigation pending in the Northern District of Ohio, *In Re: Nat'l Prescription Opiate Litig.*, 1:17-md-2804 (“the MDL”).” Doc. #37 at 1. The Pharmacy Defendants represent that “the JPML issued an order conditionally transferring this case to the MDL;” the City “opposed the conditional transfer order;” “the JPML will likely consider the transfer issue at its March 21, 2022 hearing;” and “[s]taying resolution of [the City’s] motion to remand will promote judicial economy, conserve judicial resources, and not cause any prejudice to [the City].”¹ *Id.* at 1, 2.

On April 8, 2022, the JPML granted the City’s motion to vacate the conditional transfer order. Doc. #56. The Pharmacy Defendants then “requested the [JPML] to reconsider its decision” in a motion for reconsideration. Doc. #57 at 2. The JPML denied the motion for reconsideration on June 1, 2022. Doc. #58. Because the JPML has issued a final decision² denying transfer of this case to the MDL, the motion to stay [37] is **DENIED as moot**.

¹ The motion to stay is fully briefed. Docs. #38, 44, #54.

² See 28 U.S.C. § 1407(e) (“No proceedings for review of any order of the panel may be permitted except by extraordinary writ pursuant to the provisions of title 28, section 651, United States Code.”).

SO ORDERED, this 14th day of July, 2022.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE